

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	CRIMINAL NO. 08-00204-KD
)	(Civil Action No. 09-00734-KD-N)
DANIEL STUART ADDISON,)	
)	
Defendant.)	

ORDER

This action is before the Court on a motion (doc. 87) filed by the defendant, Daniel Stuart Addison, for an order requiring his appointed trial counsel to send him a copy of his entire case file. Addison contends that he is “incarcerated and is unable to pay for a copy of the entire case file.” Consequently, Addison is asking this Court to provide him with his case file at the government’s expense but has failed to state any reason or particularized need for that record.

Upon consideration of the motion, together with Addison’s pending motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255 (docs. 65-66), the undersigned concludes and it is, therefore, **ORDERED** that this motion is due to be and is hereby **DENIED**. “A federal prisoner is not entitled to obtain copies of Court records at the Government's expense to search for possible defects merely because he is indigent.” United States v. Johnson, 2006 WL 1699433, * 1-2 (W.D. Tenn. June 15, 2006), *quoting*,

Campbell v. United States, 538 F.2d 692, 693 (5th Cir.1976).¹ *See also*, United States v. Byrd, 2007 WL 4521531, * 1 (M.D. Fla. Dec. 19, 2007)(“It is well settled that a federal prisoner is not entitled to obtain court records at government expense to search for possible defects merely because he is indigent.”), *citing*, United States v. Herrera, 474 F.2d 1049 (5th Cir.1973).

Done this 3rd day of February, 2010.

/s/ Katherine P. Nelson
UNITED STATES MAGISTRATE JUDGE

¹In Bonner v. City of Prichard, 661 F.2d 1206, 1209 (11th Cir.1981) (en banc) the Eleventh Circuit adopted as binding precedent all the decisions of the former Fifth Circuit handed down prior to the close of business on September 30, 1981.